

Sec. 9. G.S. 105-449 is amended as follows:

(1) by rewriting subsections (a) and (b) of that section to read:

“(a) Motor fuel purchased by a local board of education and used in public school transportation in this State is exempt from the per gallon tax levied by this Article provided an invoice for the fuel stating the board of education to whom the fuel was delivered, the price per gallon of the fuel excluding the per gallon tax, and the kind and quantity of fuel sold is furnished to the Secretary of Revenue. To implement this exemption, a person who holds a State contract for the sale of motor fuel to be used in public school transportation shall invoice motor fuel sold to a local board of education for this purpose at the prevailing contract price, excluding the per gallon tax, and a person who does not hold a State contract for the sale of motor fuel to be used in public school transportation but who sells motor fuel for this purpose in quantities not sufficient to require a State contract shall invoice motor fuel sold to a local board of education at the lowest informal bid price, excluding the per gallon tax.

(b) A person authorized to sell motor fuel to a local board of education who paid the per gallon tax levied by this Article on fuel sold to the local board for public school transportation may obtain a refund of the tax paid on the fuel upon filing an application for refund with the Secretary of Revenue and attaching an invoice, containing the information required in subsection (a), to the refund application. Upon receipt of a proper application and invoice, the Secretary shall issue a warrant upon the State Treasurer for the amount of the per gallon tax paid.”; and

(2) by deleting the word “gasoline” each time it appears in subsections (c) and (d) of that section and substituting the words “motor fuel”.

Sec. 10. G.S. 105-449.2(7) is rewritten to read:

“(7) ‘User’ means a person who owns or operates a fuel-propelled motor vehicle licensed under Chapter 20 and who does not maintain storage facilities for fueling the vehicle.”

Sec. 11. G.S. 105-449.9 is rewritten to read:

“§ 105-449.9. *License required of user and user-seller.*—Every user, except a user whose use of fuel is limited to private passenger motor vehicles and other motor vehicles licensed under Chapter 20 at 6,000 pounds or less, and every user-seller shall obtain a license from the Secretary. When issued, a user’s or a user-seller’s license is effective until it is cancelled.”

Sec. 12. G.S. 105-449.10(b) is rewritten to read:

“(b) A user shall pay the tax levied by this Article on any nontaxpaid fuel acquired by him. A licensed user shall pay the tax due on nontaxpaid fuel acquired during a reporting period when filing a report for that period. An unlicensed user who acquires nontaxpaid fuel shall report the fuel and pay the tax due on the fuel in the same manner as a licensed user.”

Sec. 13. G.S. 105-449.2(9) is rewritten to read:

“(9) ‘Supplier’ means a person who:

a. Sells or delivers fuel to a user-seller; or